

Association of College & University Telecommunications Administrators

EX PARTE OR LATE FILED

October 31, 1994

Mr. William Caton
Office of the Secretary
Federal Communications Commission
1919 M Street Northwest
Room #222
Washington, DC 20554

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RE: In the Matter of Policies and Rules Implementing the Telephone Disclosure and Dispute Resolution Act, CC Docket No. 93-22; Order on Reconsideration and Further Notice of Proposed Rulemaking

Dear Mr. Caton:

Enclosed for filing are the Reply Comments of the Association of College and University Telecommunications Administrators, Inc. (ACUTA) in CC Docket 93-22, Order on Reconsideration and Further Notice of Proposed Rulemaking.

As directed, we have enclosed an original and ten copies of our comments. Please file mark a copy and return it to me in the enclosed envelope.

Thank you for your consideration of ACUTA's comments.

Sincerely,

ASSOCIATION OF COLLEGE AND
UNIVERSITY TELECOMMUNICATIONS
ADMINISTRATORS, INC. (ACUTA)



Randal R. Collett
President
152 W. Zandale Dr., Ste. 200
Lexington, KY 40503-2486

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Enclosure

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Before The
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C.

IN THE MATTER OF)	
)	
Policies and Rules Implementing)	CC Docket 93-22
the Telephone Disclosure and)	RM-7990
Dispute Resolution Act)	

REPLY COMMENTS OF
THE ASSOCIATION OF COLLEGE AND UNIVERSITY
TELECOMMUNICATIONS ADMINISTRATORS, INC. (ACUTA)

The Association of College and University Telecommunications Administrators ("ACUTA") submits the following Reply Comments regarding the above-captioned *Further Notice of Proposed Rulemaking* ("FNPR") which was released by the Federal Communications Commission ("FCC") on August 31, 1994. In its FNPR, the Commission proposes amendments to its pay-per-call rules governing the use of 800 numbers for information services. Comments on the FNPR were filed by interested parties, including ACUTA on October 11, 1994.

ACUTA maintains its original position that there should be no charge, either direct or indirect against the calling number for the dialing of an 800 telephone number and/or the information services that may follow. Since the inception of 800 service, the idea that such calls are free to the calling party is a premise that the general public has come to understand and embrace. It has also been the platform which both public and for-profit institutions have utilized to provide a plethora of service offerings. To compromise that concept with the introduction of charges for calls placed to certain 800 numbers belies public confidence in the entire regulatory process. ACUTA urges the Commission to remain firm in its commitment and, as a minimum, to adopt the regulatory changes, as originally proposed.

The original idea for the use of the 900 area code for the placement of calls which would incur a service charge was a legitimate part of a well thought out plan. The scandalous use of this dialing plan by unscrupulous entrepreneurs, however, has resulted in a great hesitancy by the public to dial any 900 numbers. As a result, it is understandable why both carriers and information providers want to migrate toward the use of 800 numbers for the dissemination of "Pay-Per-Call" services. Given such a legal introduction, it will be only a matter of time before the concept of 800 calling will be relegated to the same "sleaze and fraud" arena where the 900 calls now reside. ACUTA firmly believes that such a move would not be in the best interest of its member institutions or the public at large.

ACUTA Reply Comments
CC Docket 93-22

ACUTA is also pleased to note that most commentors¹ agree with the Commission's proposed rule changes. Generally, local exchange carriers ("LEC") express concern about costs to implement the proposed changes and problems associated with billing. Information providers and related companies are generally opposed to any constraint placed on their activities.

Our Association does not concur with commentors who suggest validating a non-written presubscription agreement against a Line Information Database ("LIDB") and against a 900 number blocking database. This methodology is proposed for screening calls where access to 900 number services has been restricted. The method may work for residential customers but will not work for business customers who rely on customer premise equipment for restricting access to 900 numbers.

ACUTA further believes that the regulatory principles and benefits to telephone subscribers supersede the financial interests and concerns expressed by the service providers.

Respectfully submitted,

ASSOCIATION OF COLLEGE AND
UNIVERSITY TELECOMMUNICATIONS
ADMINISTRATORS, INC. (ACUTA)

By: _____



Randal R. Collett
President
152 W. Zandale Dr., Ste. 200
Lexington, KY 40503-2486

Dated: October 31, 1994

¹See e.g., 900 Capital Services; Interactive Services Assoc.; and International Telemedia.